1997 LOW VAPOR PRESSURE VOLATILE ORGANIC COMPOUND SURVEY FOR CONSUMER AND COMMERCIAL PRODUCTS

June 30, 1998

ONLY USE THE SURVEY FORM PROVIDED IN THIS PACKAGE, DO NOT USE ANY PREVIOUS CONSUMER PRODUCT SURVEY OR REGISTRATION FORMS.

THIS SURVEY IS MANDATORY.

DUE DATE: SEPTEMBER 31, 1998

California Environmental Protection Agency

Air Resources Board

Responsible Party

Stop!

Read This!

The "*Responsible Party*" means the company, firm or establishment which is listed on the label of a consumer or commercial product covered by this survey. If the label lists two companies, firms or establishments, the responsible party is the party which the product was "manufactured for" or "distributed by", as noted on the label.

The products covered by this survey are listed in Attachment A. If you are <u>not</u> the Responsible Party for any product covered by this survey, please complete the top portion of the **Company Form** <u>only</u> and return this form to the following address:

California Air Resources Board
Stationary Source Division
2020 L Street
P.O. Box 2815
Sacramento, CA 95812
Attn: Strategy Evaluation Section



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IF YOUR PACKET IS MISSING ANY ITEMS LISTED ABOVE, PLEASE CALL:

Mr. Erik White (916) 327-2953

Ms. Lesley Crowell (916) 323-7227

Facsimile number (916) 322-6088

ONLY USE THE SURVEY FORMS PROVIDED IN THIS PACKAGE. DO NOT USE ANY PREVIOUS CONSUMER PRODUCT SURVEY OR REGISTRATION FORMS.

Part I Survey Overview and Instructions

SURVEY OVERVIEW AND INSTRUCTIONS

The Air Resources Board's (ARB) 1997 Low Vapor Pressure Volatile Organic Compound Survey for Consumer and Commercial Products is intended to collect information about the use of selected solvents in the consumer product categories listed in Attachment A that were sold for use in California in calendar year 1997. **You must complete this survey if you are the** *responsible party* for any product listed in Attachment A. The *responsible party* is the company, firm or establishment which is listed on the label.

We would like to emphasize that this survey <u>is</u> intended to collect information about consumer products and commercial products (products used by household, commercial and institutional consumers), as well as products that are sold for consumer, commercial, institutional, and industrial uses concurrently. All consumer and commercial products which fall into categories in Attachment A must be reported, regardless of whether a product or ingredient has been exempted from regulation.

For the purposes of this survey only, the term "commercial" is used rather than "institutional." The term "commercial" has the same definition as "institutional," but we feel that "commercial" better fits how many companies view their products.

With the exception of industrial *aerosol adhesives*, this survey is <u>not</u> intended to collect information about products sold and used <u>exclusively</u> as *industrial products* or *pesticides* for *agricultural use*.

This survey includes three components; the **Company Sheet**, the **Formulator Sheet** and the **Product Sheet**. We appreciate your time in reading the instructions and completing this survey. If you have any questions, please do not hesitate to call Mr. Erik White at (916) 327-2953 or Ms. Lesley Crowell at (916) 323-7227.

Survey Due Date

This survey is due **September 31, 1998**. Once it is completed, please send it to:

California Air Resources Board Stationary Source Division 2020 L Street P.O. Box 2815 Sacramento, CA 95812

Attn: Strategy Evaluation Section

CONFIDENTIAL MATERIALS ENCLOSED

SURVEY OVERVIEW AND INSTRUCTIONS

Confidential Information

The ARB will treat ALL information that you provide in this survey as Confidential. Title 17, California Code of Regulations (CCR), Section 91000 to 91100 (Attachment F) describes the handling of Confidential Information. We also request that you review and complete the Confidential Information Submittal Form found in Part II, and submit a hard copy of it with your completed survey. Finally, for your protection, each page of the survey form has a box to check to indicate that the information on that page is confidential. The ARB takes extreme measures to ensure that all Confidential Information remains confidential pursuant to Title 17, CCR.

Contact People

If you have any questions, please contact any of the following staff:

Erik White (916) 327-2953 Lesley Crowell (916) 323-7227

COMPLETING THE INFORMATION SHEETS

This survey is composed of three components, the **Company Sheet, Formulator Sheet** and the **Product Sheet**. Before you begin filling out the survey forms, please read the instructions carefully and look at the attachments included to assist you in completing the survey. Included for your assistance are sample forms.

COMPANY AND FORMULATOR SHEETS

The following instructions apply to the Company Sheet and Formulator Sheet. General company information such as name and address are needed, as well as fundamental information regarding the company economics and business type. This information will assist us matching the responses to this survey with those from the 1997 Consumer and Commercial Products Survey.

If your company is not the *responsible party* for products listed in Attachment A, please complete and submit only the top portion of the Company Sheet to the ARB. If your company is the responsible party for any products listed in Attachment A, please complete the entire Company Sheet and the appropriate number of Product Sheets.

Please provide only one Company Sheet when submitting your survey. It is not necessary to attach a Company Sheet to each Product Sheet.

SURVEY OVERVIEW AND INSTRUCTIONS

Data Fields

Company Name: Please enter the name of the company. This name should also be the company name on the Product Information Sheet.

Division Name: If the respondent to the survey is representing a division of the company, please enter the name of the division. This name should also be the division name on the Product Information Sheet.

Contact Name: Enter the name of the person to be contacted by the ARB if clarifications are needed.

Address: Enter the mailing address of the company or division responsible for completing the survey.

Phone Number: Enter the telephone number of the contact person.

Fax Number: Enter the fax number of the contact person.

E-mail Address: Enter the E-mail address of the contact person, if available.

Responsible Party: Enter the appropriate answer in the box (yes or no) to indicate if your company is the *responsible party* (see definitions) for any of the product categories listed in Attachment A that were sold in California in calendar year 1997. <u>If you are not the *responsible party*</u>, please stop here and submit this form to the ARB.

Type of Business: Place an "X" in each box that describes the type of business conducted by your company or division. Please refer to the Definitions in Attachment D for clarification of the terms in this question.

Standard Industrial Classification (SIC) Codes: Enter any of the following SIC codes that apply to the company for the products listed in Attachment A. If none of these SIC codes apply, please fill in the company's primary SIC code(s). For clarification about SIC codes, please refer to the Executive Office of the President, Office of Management and Budget, 1987 Standard Industrial Classification Manual or call a member of the ARB staff. A list of SIC codes is provided in Attachment B.

Independent Ownership: Enter the appropriate answer (yes or no) to indicate if the company is *independently owned*. Please refer to the Definitions in Attachment D for clarification of the terms in this question. If the company is not *independently owned*, enter the name and address of

SURVEY OVERVIEW AND INSTRUCTIONS

the parent company in the spaces provided.

Number of Employees Nationwide: Enter the number of *employees* (including full-time, part-time and temporary staff) of the company or division nationwide. Please refer to the Definitions in Attachment D for clarification of the terms in this question.

Number of Contract Employees Nationwide: Enter the number of *contract employees* of the company or division nationwide. Please refer to the Definitions in Attachment D for clarification of the terms in this question.

Number of Employees in California: Enter the number of *employees* (including full-time, part-time and temporary staff) of the company or division in California. Please refer to the Definitions in Attachment D for clarification of the terms in this question.

Number of Contract Employees in California: Enter the number of *contract employees* of the company or division in California. Please refer to the Definitions in Attachment D for clarification of the terms in this question.

Typical Gross Annual Receipts: Enter the corresponding answer for the *typical gross annual receipts* generated by the company or division worldwide. Please refer to the Definitions in Attachment D for clarification of the terms in this question.

Forwarding the Survey to Another Company for Formulation Data: In the event you do not know the product formulation information required in the Product Sheet, please do the following:

- 1) Indicate in the box provided on the Company Sheet that your company will be forwarding a copy of this survey to another company for completion.
- 2) Complete and submit to the ARB the Company Sheet, the Formulator Sheet and the **Product Sheet B**. This product sheet has the Ingredient Information section removed.
- Fill out the Responsible Party and Product Data section of **Product Sheet C**, and forward this sheet with a blank copy of the entire survey to the formulator. This product sheet has the Relation to Product section replaced by the Formulator Company Data section. Request that the formulator complete and submit to the ARB the Ingredient Information section and Formulator Company Data section of Product Sheet C.

SURVEY OVERVIEW AND INSTRUCTIONS

Certification: Please have a designated contact person certify the accuracy of the completed Company Sheet and Product Sheets.

PRODUCT SHEETS

All product responses are to be placed on this form. There is one product or group of products per form. Please number the product sheet in the space provided in the header. There are several things to remember as you complete this section of the survey:

- A) Only complete the Product Sheet(s) if you are the *responsible party* for any of the product categories listed in Attachment A that were sold in California in calendar year 1997.
- B) You may group products according to the criteria listed under the Product Name field below.
- C) The survey must be completed using data from calendar year 1997, or if these data are not available, the most recent twelve month consecutive period beginning no earlier than July 1, 1996.
- D) All products that fall into the product categories listed in Attachment A must be reported, irregardless if they have been reported in previous ARB consumer products surveys. The product sheet, including speciation of the selected solvents listed in Attachment C, must be completed entirely.
- E) If you have all of the ingredient information for your product, use **Product Sheet**A. If you are sending the product sheet to the formulator to complete the Ingredient Information section, use **Product Sheets B and C**. The survey forwarding instructions are on page 4.

Data Fields

Responsible Party Name: Please enter the name of the company. This should be the same as the name on the Company Sheet.

Formulator Name: If you are forwarding the Product Sheet to another company for completion of the Ingredient Information section, please enter the name of the formulator. This need only be completed on Product Sheets B and C.

SURVEY OVERVIEW AND INSTRUCTIONS

Full Product Name: Please provide the name of the product as shown on the *principal display panel* or a representative name for a group of products that have been aggregated. Products may be aggregated according to the following criteria:

- 1) All products must have the same Category Code (see below).
- 2) All products must be in the same form (e.g. aerosol product, pump spray, etc).
- 3) The products included in the group must have no greater than two percent variation in total volatile organic compound (VOC) content, where the difference is only due to the type or amount of *fragrance* or *colorant*
- 4) List the names of the products to be aggregated on the back of the Product Sheet.

Product Form: Place an "X" in the box for the form of the product according to the options listed below. **Select only one form.** (If the product appears in more than one form, use a separate product information packet for each form). Definitions of the *product forms* are provided in the Definitions in Attachment D. If you are unsure of the form of your product, please contact an ARB staff person.

- (A) Aerosol Product
- (B) Liquid
- (C) Pump Spray
- (D) *Gel*, grease, (semisolids)
- (E) *Solid* (including powders)
- (F) Other

Category Code: Enter the four digit category code for the product as listed in Attachment A. If you are unsure of the correct category code for your product, please contact ARB staff listed below the Table of Contents. If your product could be placed in more than one category, select the category that best describes the product.

SURVEY OVERVIEW AND INSTRUCTIONS

Customer Type: Place an "X" in the box that best describes the customer type for your product according to the options listed below. Industrial products are those products used strictly in the manufacture of other marketable products.

- (A) Household only
- (B) Commercial only
- (C) Industrial only (applies only to aerosol adhesives)
- (D) Household and Commercial
- (E) Commercial and Industrial
- (F) Household, Commercial and Industrial

If your product falls under options (D), (E) or (F), please enter the percent usage of your product by the various customer types in the spaces provided (e.g. Household 50%, Commercial 50%).

Sales Reporting Options: You have two options for entering the sales of your product. Regardless of the option chosen, provide calendar year 1997 California sales data, or, if 1997 sales are not available, provide the sales for the most recent 4 quarters for which data are available. This period should begin no earlier than July 1, 1996.

Option 1:

Calculate the total 1997 product sales in California (in pounds less packaging) and enter this amount in the box provided.

Option 2:

- a) List the product sizes and the estimated number of units sold in each size in California in 1997.
- b) Place an "X" in the Size Units box indicating whether your product size units are fluid ounces or weight ounces.
- c) If your size units are listed in fluid ounces, please provide either the density of the product in pounds per gallon or grams per milliliter, or provide the specific gravity. Spaces are provided for these entries.

Estimating California Sales: If California-specific sales data are not available, sales may be estimated using national or *regional* sales figures that are apportioned appropriately. If you use population as a basis for determining sales, please use the population estimates provided in Attachment E.

Entering Sales Data for Grouped Products: If you are grouping products, please combine the sales of all grouped products. Be sure the individual product names are listed on the back of the Product Sheet.

SURVEY OVERVIEW AND INSTRUCTIONS

Relation To Product: Indicate whether you are the *manufacturer*, *retailer*, *distributor*, *private label contract packager* or the *custom contract packager* of the product. Place an "X" in the appropriate box or boxes, if more than one box applies. For example, many companies manufacture and sell their products in their own retail locations, in which case both Manufacturer and Retailer would be indicated.

Previous surveys: Indicate in the boxes provided whether the product was reported on the:

- (A) 1990 Consumer Products Survey of VOCs
- (B) Mid-Term Measures 1994/1995 Consumer Products Survey

LVP-VOC Solvent Speciation Table: <u>Every solvent</u> meeting the definition of an *LVP-VOC* that amounts to 0.1 weight percent or more of the product must be listed. <u>In addition</u>, any other compound or mixture contained in Attachment C that amounts to 0.1 weight percent or more of the product must also be listed. <u>Do not list the same ingredient twice</u>. The aggregate total of <u>all solvents</u> meeting the definition of an *LVP-VOC*, <u>and</u> any compound or mixture contained in Attachment C, which individually represent less than 0.1 weight percent of the product should be entered into the box at the bottom of the speciation table. If your product does not use a solvent meeting the definition of an *LVP-VOC*, skip down to "Total VOC Content (Total A)."

Ingredient Name: Enter the name of the Ingredient.

Trade Name: Enter the trade name of the solvent, if known. This applies even if the trade name is the same as the solvent name.

CAS #: Please enter the Chemical Abstract Service (CAS) number for the solvent. A list of CAS numbers for many of the selected solvents is included in Attachment C. Please use this information <u>only</u> if you are unable to obtain the CAS number of the solvent from your supplier.

Weight %: Enter the percent by weight to the nearest 0.1% of the solvent in the final product. If the solvent is a mixture of known components, list the components separately with their individual weight percentages in the final product. If the components of a solvent mixture cannot be determined, list the solvent as a single entity.

Total VOC Content (Total A): Aggregate the total weight percent of all *volatile organic compounds* and enter this amount to the nearest 0.1 percent.

SURVEY OVERVIEW AND INSTRUCTIONS

Total Exempt/Inorganic/Water Content (Total B): Aggregate the total weight percent of all *exempt compounds*, inorganic compounds, and water and enter this amount to the nearest 0.1 percent.

Total Surfactant Content (Total C): Aggregate the total weight percent of all surfactants and enter this amount to the nearest 0.1 percent.

Total LVP-VOC Solvent Content (Total D): Sum the weight percentages for the solvents listed in the table above, including the total of the solvents which are individually less than 0.1% of the product. If you have not listed any solvents in the table above, enter 0.

Total Other LVP-VOC Content (Total E): Aggregate the total weight percent for all *LVP-VOCs* that are either <u>not</u> a surfactant or <u>not listed</u> in the Selected Solvent Speciation Table and enter this amount to the nearest 0.1 percent.

Total Ingredients: The sum of Total A, Total B, Total C, Total D and Total E **must equal 100 percent**. If this value does not sum to 100, check the component percentages for an error.



Part II **Survey Forms**

(Blanks and Samples)



AIR RESOURCES BOARD AIR RESOURCES BOARD 1997 LVP-VOC SURVEY OF CONSUMER AND COMMERCIAL PRODUCTS

Confid	dei	ntial	
(ves	or	no)	

	COMPAN	Y SHEET			
Company Name	<u>-</u>	Contact Person		_	
Division Name (s)					
		Phone	Fax		
		Number	Number		
Address		E-mail			
		Address			
		RESPONSIBLE PART	Y (YES or NO)	<u> </u>	
			submit this form to AR	B)	
				,	
TYPE OF BUCINESS	ll l	TIONWIDE EMPLOYEE		MPLOYEES (USA)	
TYPE OF BUSINESS (Indicate the appropriate boxes with an "X")	` '	None 1 to 10	(0) None (1) 1 to 10		
Manufacturer/Marketer	- `´	11 to 100	(2) 11 to 100		
Retailer	_ ` ` ′	101 to 250	(3) 101 to 250		
Distributor	— ' '	251 to 500	(4) 251 to 500		
Private Label Contract Packager		More than 500	(5) More than t	500	
Custom Contract Packager			(=)		
	CA	LIFORNIA EMPLOYEES	S CONTRACT EI	MPLOYEES (CA)	
SIC CODES	(0)	None	(0) None		
	(1)	1 to 10	(1) 1 to 10		
	, ,	11 to 100	(2) 11 to 100		
	(3)	101 to 250	(3) 101 to 250		
	` '	251 to 500	(4) 251 to 500		
	(5)	More than 500	(5) More than s	500	
INDEPENDENT OWNERSHIP	GR	OSS ANNUAL RECEIP	TS		
Is your company independently owned (Yes/No)?	(1)	Less than \$250,000			
If No, provide parent company information below.	(2)	Between \$250,000 to \$	1 million		
	, ,	Between \$1 million and			
Parent Company Name	—	Between \$10 million an	d \$100 million		
	(5)	More than \$100 million			
	- ∥				
Parent Company Address	FO	RMULATION DATA			
	– 1		ــــــ nulation data for one or r	nore of	
		=	mpany for completion (
		es, please complete F		,	
	CERTIF	ICATION			
"I hereby certify that, to the best of my knowle			entered on the Col	mpany Sheet,	
	Formulator Sheet and Product Sheets is complete and accurate."				
Name:		Title:			
Name.		Tiue.			
Signature: Date Signed:					
FOR ARB USE ONLY: Company I	File Number		Product Number		



AIR RESOURCES BOARD 1997 LVP-VOC SURVEY OF CONSUMER AND COMMERCIAL PRODUCTS **AIR RESOURCES BOARD**

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(1100	٥r	na)	

		FORMULA	TOR SHEET		
If you have completed Product Information Sheets for which you do not have the formulation data, please					
provide th	e company i	name, address and contact per	sons name and phone	number in the spaces belo	W.
Product Sheet N	lumber(s)		Product Sheet I	Number(s)	
Formulator Name			Formulator Name		
Address			Address		
Contact Name			Contact Name		
Phone Number			Phone Number		
Product Sheet N	lumber(s)		Product Sheet I	Number(s)	
Formulator Name	_		Formulator Name		
Address			Address		
Contact Name			Contact Name		
Phone Number			Phone Number		
Product Sheet N	lumber(s)		Product Sheet I	Number(s)	
Formulator Name	L		Formulator Name		
Address			Address		
Contact Name			Contact Name		
Phone Number			Phone Number		
FOR ARB US	SE ONLY:	Company File Number		Product Number	

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Confidential	IJK	AHI
(Yes or No)	DI	I II I

AIR RESOURCES BOARD 1997 LVP-VOC SURVEY OF CONSUMER AND COMMERCIAL PRODUCTS



PRODUCT SHEET # of				
RESPONSIBLE PARTY AND PRODUCT DATA	SALES REPORTING OPTIONS			
Responsible Party Name	Option 1: Total CA Sales in Pounds			
Formulator Name (If different than Responsible Party Name)	Option 2: Product Size Distribution Table			
Tomidiator Name (if different trial Responsible Farty Name)	Size CA Units Sold Size Units			
	#1 Wt. Oz. Fluid Oz.			
Full Product Name	#3 (if fluid Oz, list one below) #4 Density, lb/Gal			
	#5 Density, g/ml			
Aerosol Prod	ode #6 Specific Gravity			
Liquid Commercial Pump Spray Industrial	RELATION TO PRODUCT			
Gel, Grease Hhold. & Comm. Hhd%	Manufacturer/Marketer Retailer			
Solid, Powder Comm./Industrial Com% Other Hhold, Comm, Ind Ind%	Custom Contract Packager Distributor Private Label Packager			
PREVIO	OUS SURVEYS			
Was this product reported in the ARB's February 1990 Consumer Products Survey of VOCs (Yes or NO)?	Was this product reported in the ARB's Mid-Term Measures 1994/1995 Consumer Products Survey (Yes or NO)?			
INGREDIEN	T INFORMATION			
	NT SPECIATION TABLE			
Ingredient Name	Trade Name CAS # Wt %			
#1				
#2				
#3 #4				
#5				
#6				
#7				
#8				
#9 Total	LVP-VOC Solvents each less than 0.1% by wt. of the product			
(A) Total VOC Content	(D) Total LVP-VOC Solvent Content (Sum of Above)			
(B) Total Exempt/Inorganic/Water Content	(E) Total Other LVP-VOC Content			
(C) Total Surfactant Content	Total of A, B, C, D and E (MUST EQUAL 100 %)			

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Confidential	IJKAHI	
(Yes or No)	DIGHT I	L

AIR RESOURCES BOARD

Confidential (Yes or No) Confidential (Yes or No) Commercial (Yes or No)	lacksquare				
PRODUCT SHEET #	# of				
RESPONSIBLE PARTY AND PRODUCT DATA	SALES REPORTING OPTIONS				
Responsible Party Name	Option 1: Total CA Sales in Pounds				
Formulator Name (If different than Responsible Party Name) Full Product Name Product Form Customer Type Category Code Aerosol Prod Household Liquid Commercial Pump Spray Industrial Gel, Grease Hhold. & Comm. Hhd% Solid, Powder Comm./Industrial Com% Other Hhold, Comm, Ind Ind%	Option 2: Product Size Distribution Table Size				
SELECTED SOLVENT INGREDIENT INFORMATION TO BE COMPLETED BY FORMULATOR					

FOR ARB USE ONLY: **Company File Number**

Product Number

Confidential (Yes or No) AIR RESOURCES BOARD 1997 LVP-VOC SURVEY OF CONSUMER AND COMMERCIAL PRODUCTS

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1	

(Yes or No) COMMERCIAL PRODUCTS				
PRODUCT SHEET #	of			
RESPONSIBLE PARTY DATA		PROD	UCT DATA	
Responsible Party Name		Product Form	Customer T Household	уре
	Liq	· · · · · · · · · · · · · · · · · · ·	Commercial	H
Formulator Name (If different than Responsible Party Name)		mp Spray I, Grease	Industrial Hhold. & Comm	, Н
Torridator Name (if different trial Nesponsible Farty Name)		lid, Powder	Comm./Industri	
	Oth	ner	Hhold, Comm,	nd
Full Product Name		Category Code	Hhd%	
			Com% Ind%	_
FORMULA	TOR COMPANY	DATA		
Formulator Name	Contact Pe			
Formulator Address	Phone Nur	nber	Fax Number	
INGREDI	ENT INFORMA	TION		
LVP-VOC SOL	VENT SPECIATION	N TABLE		
Ingredient Name	Trade	Name	CAS#	Wt %
#1				
#2				
#3				
#4				
#5				
#6				
#7				
#8				
#9				
	tal LVP-VOC Solvents			
(A) Total VOC Content	(D) Total LV	P-VOC Solvent Con	tent (Sum of Above)	
(B) Total Exempt/Inorganic/Water Content		(E) Total Othe	er LVP-VOC Content	
(C) Total Surfactant Content Total of A, B, C, D and E (MUST EQUAL 100 %)				
FOR ARB USE ONLY: Company File Nu	mber	Pro	duct Number	

CONFIDENTIAL INFORMATION SUBMITTAL FORM

If you wish to designate any information contained in your survey data as **CONFIDENTIAL INFORMATION**, please provide the data requested below and return it with your completed survey form.

In accordance with Title 17, California Code of Regulations (CCR), Section 91000 to 91022, and the California Public Records Act (Government Code Section 6250 et seq.), the information that a company provides to the Air Resources Board (ARB) may be released (1) to the public upon request, except trade secrets which are not emissions data or other information which is exempt from disclosure or the disclosure of which is prohibited by law, and (2) to the Federal Environmental Protection Agency (EPA), which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulation, and (3) to other public agencies provided that those agencies preserve the protections afforded information which is identified as a trade secret, or otherwise exempt from disclosure by law (Section 39660(e)).

Trade secrets as defined in Government Code Section 6254.7 are not public records and therefore will not be released to the public. However, the California Public Records Act provides that air pollution emission data are always public records, even if the data comes within the definition of trade secrets. On the other hand, the information used to calculate information is a trade secret.

If any company believes that any of the information it may provide is a trade secret or otherwise

exempt from disclosure under any other provision of law, it must identify the confidential information as such at the time of submission to the ARB and must provide the name address, and telephone number of the individual to be consulted, if the ARB receives a request for disclosure or seeks to disclose the data claimed to be confidential. The ARB may ask the company to provide documentation of its claim of trade secret or exemption at a later date. Data identified as confidential will not be disclosed unless the ARB determines, in accordance with the above referenced regulations, that the data do not qualify for a legal exemption from disclosure. The regulations establish substantial safeguards before any such disclosure. In accordance with the provisions of Title 17, California Code of Regulations, Section 91000 to 91022, and the California Public Records Act (Government Code Sections 6250 et seq.), Company Name: declares that all the information submitted in response to the California Air Resources Board's information request on the 1997 LVP-VOC Survey for Consumer and Commercial Products is confidential "trade secret" information, and request that it be protected as such from public disclosure. All inquiries pertaining to the confidentiality of this information should be directed to the following person: Date: Mailing Address: (Signature) (Printed Name) (Title)

(Telephone Number)

Part III Attachments for Completing the Survey

PRODUCT CATEGORIES

ADHESIVES AND SEALANTS

Adhesives		Sealan	nts
Code Product Catego 1101 Arts and Crafts 1102 Automotive Ad 1103 Carpet and Tile 1104 Construction an 1105 Contact Adhesiv 1106 General Purpose	Adhesives nesives Adhesives d Panel Adhesives e Adhesive ve (including Industrial) and Primers	<u>Code</u> 1201	Product Category Caulking Compounds Cold Process Roof Cements Wood Fillers

AUTOMOTIVE AFTERMARKET PRODUCTS

Auto Detailing Products

Auto Repair Products

Code	Product Category	Code	Product Category
2101	Bug and Tar Removers	2202	Automotive Brake Cleaners
2102	Carpet and Upholstery Cleaners	2203	Carburetor, Choke Cleaners
2103	Automotive Hard Paste Waxes	2204	Engine Degreasers
2104	Automotive Instant Detailers	2205	Solvent Parts Cleaner
2105	AutomotiveWaxes/Polishes/Sealants/Glazes	2207	Undercoatings
2106	Rubber and Vinyl Protectants	2208	Automotive Windshield Washer Fluids
2107	Automotive Rubbing or Polishing Compounds		
2108	Tire Cleaners		
2109	Vinyl and Leather Cleaners		
2110	Wheel Cleaners		

SOLVENTS AND COATING RELATED PRODUCTS

Miscellaneous Coating Related Products	Miscellaneous Solvent Product	Miscellaneous Solvent Products	
Code Product Category	<u>Code</u> <u>Product Category</u>		
3102 Grafitti Removers	3201 Multipurpose Solvents		
3103 Paint Removers or Strippers	3202 Electronic Cleaner		
	3203 Adhesive Remover		

PRODUCT CATEGORIES

FIFRA-REGULATED PRODUCTS

(Does not include agricultural-use pesticides/insecticides or pesticides used as structural fumigants.)

Antimicrobial Agents	Insecticides		
Code Product Category	Code Product Category		
4101 Disinfectants	4301 Flea and Tick Insecticide		
4102 Sanitizers	4302 Flying Insect Insecticide		
	4303 Wasp and Hornet Insecticide		
	4304 Lawn and Garden Insecticides		
	4305 Crawling Bug Insecticides		
	4306 Insecticide Foggers		
Herbicides	Miscellaneous FIFRA-Regulated Products		
Code Product Category	Code Product Category		
4201 Non-selective Herbicides/Defoliants	4401 Insect Repellants		
4202 Selective Herbicides/Defoliants	4402 Fungicides and Nematicides		
HOUSEHOLD PRODUCTS			
The second secon	Laundry Products		
Fabric and Carpet Care Products	Laundry Products		
Code Product Category	Laundry Products <u>Code</u> Product Category 5301 Laundry Prewash		
Code Product Category	Code Product Category		
Code Product Category5101 Carpet and Upholstery Cleaners	Code Product Category		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 	Code Product Category		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 	Code Product Category		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant 	Code Product Category		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 	Code Product Category		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant 	Code Product Category 5301 Laundry Prewash		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners 	Code Product Category 5301 Laundry Prewash Waxes and Polishes		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners Code Product Category 	Code Product Category 5301 Laundry Prewash Waxes and Polishes Code Product Category		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners Code Product Category 5201 Floor Wax Strippers 	Code Product Category 5301 Laundry Prewash Waxes and Polishes Code Product Category 5401 Dusting Aids		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners Code Product Category 5201 Floor Wax Strippers 5202 General Purpose Cleaners 	Code Product Category 5301 Laundry Prewash Waxes and Polishes Code Product Category 5401 Dusting Aids 5402 Flexible Floor Wax/Polish		
 Code Product Category 5101 Carpet and Upholstery Cleaners 5102 Carpet Deodorizers 5103 Spot Removers 5104 Fabric Protectants 2106 Rubber and Vinyl Protectant Hard Surface Cleaners Code Product Category 5201 Floor Wax Strippers 5202 General Purpose Cleaners 5203 General Purpose Degreasers 	Code Product Category 5301 Laundry Prewash Waxes and Polishes Code Product Category 5401 Dusting Aids 5402 Flexible Floor Wax/Polish 5403 Non-resilient Floor Wax/Polish		

5207 Toilet Bowl Cleaners

5208 Tub, Tile and Sink Cleaners

PRODUCT CATEGORIES

HOUSEHOLD PRODUCTS (CONT'D)

Lubricants	Air Fresheners		
 Code Product Category 5501 Multi-purpose Lubricant 5502 Silicone Based Multi-purpose Lubricant 5503 Penetrant 5504 Specialty Lubricant 5505 Cutting Oil/Fluid 5506 Chain, Cable or Open Gear Lubricant 5507 Anti-Seize Compound 5508 Multi-purpose Dry Lubricant 	 Code Product Category 5601 Single Phase Aerosols (incl. Metered Dose) 5602 Dual Phase Aerosols 5603 Dual Purpose Air Freshener/Disinfectant 5604 Liquids/Pump Sprays 5605 Solids/Gels Miscellaneous Household Products Code Product Category 5701 Charach Lighter Materials 		
	5701 Charcoal Lighter Materials		
PERSONAL	CARE PRODUCTS		
Facial and Body Treatments	Hair Care Products		
Code Product Category 6201 Astringents/Toners 6202 Hand and Body Lotions Fragrance Products	Code Product Category 6401 Hair Spray 6402 Hair Mousses 6403 Hair Shines 6404 Hair Styling Gels		
Code Product Category 6301 Personal Fragrance Product	Nail Care Products		
(20% or less fragrance) 6302 Personal Fragrance Product (more than 20% fragrance)	 Code Product Category 6501 Nail Polish 6502 Base coats, Undercoats 6503 Nail Polish Removers 		
Miscellaneous Personal Care Products Code Product Category 6602 Shaving Creams 6603 Shaving Gels 6605 Personal Hygiene Sprays	0303 Ivan i Onon Removers		

COMMON SIC CODES FOR CONSUMER AND COMMERCIAL PRODUCTS

I. Manufacturers:

Code*	<u>Description</u>	Examples
2079	Edible Fats and Oils, Nec	Aerosol Nonstick Pan Sprays
2834	Pharmaceutical Preparations	Prescription and OTC Drugs
2841	Soap and Other Detergents	Laundry Detergent
2842	Specialty Cleaning, Polishing	Floor Wax, Disinfectant, Degreasers
	& Sanitation Preparations	
2844	Perfumes, Cosmetics & Other Toilet Preps.	Hairspray, Deodorant, Toothpaste
2851	Paints and Allied Products	Paint Thinner, Paint Remover, Putty
2879	Pesticides and Agricultural Chemicals, Nec	Household Insecticides & Herbicides
2891	Adhesives and Sealants	Caulking
2899	Chemical Preparations, Nec	Antifreeze
2992	Lubricating Oils and Greases	Lubricants
	_	

^{*} All codes under "Manufacturing." Bolded codes expected to apply to most products.

II. Wholesalers:

Code**Description	<u>Examples</u>
5112 Stationary and Office Supplies	Photocopy Supplies, Pens
5122 Drugs, Drug Proprietaries, Sundries	Hairspray, Perfume, Antiseptics
5149 Groceries, and Related Products, Nec	Aerosol Whipped Cream
5169 Chemicals and Allied Products, Nec	Laundry Soap, Polishes, Turpentine
5198 Paints, Varnishes, and Supplies	Shellac, Varnish, Enamel
5199 Nondurable Goods, Nec	Artists' Materials
** All codes under "Wholesale Trade." Bolded	codes expected to apply to most
products.	

III Retailers:

<u>Code</u> *	*** <u>Description</u>	<u>Examples</u>
5231	Paint, Glass and Wallpaper Stores	Paint Thinner, Paint Remover
5251	Hardware Stores	Adhesives, Caulking Compounds
5261	Retail Nurseries, Lawn and Garden Supply	Herbicides, Insecticides

Note: nec means "not elsewhere classified."

COMMON SIC CODES FOR CONSUMER AND COMMERCIAL PRODUCTS

III Retailers (Cont'd):

Code*	*** <u>Description</u>		<u>Examples</u>
5311	Department Stores		Various Personal Care Products
5331	Variety Stores		Numerous
5399	Miscellaneous General Merchandise Stores		Numerous
5411	Grocery Stores	4	Numerous
5511	Motor Vehicle Dealers (new and used)	47	Windshield Washer Fluids
5531	Auto and Home Supply Stores		Multipurpose Lubricants
5541	Gasoline Service Stations		Lubricants
5941	Sporting Goods Stores and Bicycle Shops	\neg	Lubricants
5961	Catalog and Mail-Order Houses	4	Numerous
5963	Direct Selling Establishments		Numerous
5999	Miscellaneous Retail Stores, nec		Numerous
***	All codes under "Retail Trade." Bolded co	des	s expected to apply to most



Note: nec means "not elsewhere classified." Page B-2

SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

Attachment C has been prepared at the request of consumer product manufacturers. It is for the sole purpose of assisting in their response to this survey. This following list of solvents was compiled solely from the physical properties reported by individual producers of the listed compounds and mixtures. Chemical Abstract Service (CAS) numbers are provided as a useful reference when the CAS number for a product ingredient cannot be found. We encourage individuals responding to the survey to obtain the CAS number from their supplier, if possible.

Known compounds and mixtures with a vapor pressure of less than 0.1 millimeters of mercury (mm Hg) or boiling points greater than 216° Celsius (C) are included. Hydrocarbon solvent mixtures composed of more than one compound were evaluated solely on their distillation range. Only those hydrocarbon mixtures with a final boiling point in excess of 216°C are included. For further clarity, the included solvents are further segregated as either hydrocarbon or oxygenated solvents.

Attachment C is not intended to be used as a guide to the low vapor pressure status of any volatile organic compounds contained herein, and is not inclusive of all solvents used in consumer products that may meet the specifications of an LVP-VOC. Any mention of trade names or commercial products does not constitute approval, endorsement, or recommendation by the Air Resources Board for use.



SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

HYDROCARBON SOLVENTS

LINPAR 1012-V Paraffin, 129813-66-7 LINPAR 1214-V Paraffin, 64771-72-8 LINPAR 1416-V Paraffin, 90622-46-1

LINPAR 1417 Paraffin LINPAR 1820 Paraffin LPA Solvent, 64742-47-8 LPA-150, 64742-47-8 LPA-170, 64742-47-8

LPA-190, 64742-47-8

LPA-210, 64742-47-8 MR-Solvent, 64741-85-1

Specialty Alkylate 154L

Specialty Alkylate 159L

Specialty Alkylate 3050, 129813-62-3

Specialty Alkylate 3060

Specialty Alkylate 7050, 94094-93-6

Specialty Alkylate 7060 Specialty Alkylate 8560 Vista 47 Solvent, 64742-47-8

VISTASOL 500 VISTASOL 540L

Shell

NEOSOLV 2 NEOSOLV 4 NEOSOLV 6 NEOSOLV 8 NEOSOLV 24 NEOSOLV 150

<u>Penreco</u>

Conosol C-145, 64742-47-8 Conosol C-170, 64742-47-8 Conosol C-200, 64742-47-8 Penreco 2251, 66742-14-9 Penreco 2257, 64742-47-8 Penreco 2259, 8042-47-5 Penreco 2260, 8042-47-5 Penreco 2263, 64742-47-8

Exxon

EXXATE 1000 EXXATE 1300

EXXSOL D80, 64742-47-8 EXXSOL D95, 64742-47-8

EXXSOL D110, 64742-47-8

EXXSOL D130

ISOPAR M, 64742-47-8

ISOPAR V, 64742-46-7 NORPAR 13. 64771-72-8

NORPAR 15, 64771-72-8

Aromatic 200, 64742-94-5

<u>Citgo</u>

170 Solvent 460 Solvent Mineral Spirits 150 Solv G (Aromatic 150), 64742-94-5

SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

OXYGENATED SOLVENTS

GLYCOLS

Butylene Glycols

1,3-Butylene Glycol, 107-88-0

Ethylene Glycols

Ethylene Glycol, 107-21-1

Diethylene Glycol, 111-46-6

Triethylene Glycol, 112-27-6

Tetraethylene Glycol, 112-60-7

Pentaethylene Glycol, 4792-15-8

Propylene Glycols

Propylene Glycol, 57-55-6

ARCO, PGI

Dipropylene Glycol, 25265-71-8

ARCO, DPGlo

Tripropylene Glycol, 24800-44-0

Hexylene Glycols

Hexylene Glycol, 107-41-5

GLYCOL ETHERS

Ethylene Glycol Ethers

Ethylene Glycol Phenyl Ether, 122-99-6

Dow, DOWANOL EPh

Dow, DOWANOL DALPAD A

Ethylene Glycol Monohexyl Ether, 112-25-4

Union Carbide, Hexyl CELLOSOLVE Solvent

Ethylene Glycol 2-Ethylhexyl Ether,

Eastman, EASTMAN EEH

Diethylene Glycol Ethyl Ether, 111-90-0

Dow. DOWANOL DE

Eastman, EKTASOLVE DE

Occidental, DE

Union Carbide, CARBITOL Solvent (LG)

Diethylene Glycol Ethyl Ether, Mixtures

Union Carbide, CARBITOL Solvent, PM-600

Diethylene Glycol Propyl Ether, 1002-67-1

Eastman, EASTMAN DP

Union Carbide, Propyl CARBITOL Solvent

Diethylene Glycol Butyl Ether, 112-34-5

Dow, DOWANOL DB

Eastman, EASTMAN DB

Occidental, DB

Shell, Butyl DIOXITOL

Union Carbide, Butyl CARBITOL Solvent

Diethylene Glycol Monohexyl Ether, 112-59-4

Union Carbide, Hexyl CARBITOL Solvent

Triethylene Glycol Methyl Ether, 112-35-6

Occidental, TM

Union Carbide, Methoxytriglycol

Triethylene Glycol Methyl Ether, Mixtures

Dow, TMH

Occidental, HM

Occidental, HHM

Triethylene Glycol Ethyl Ether, 112-50-5

Union Carbide, Ethoxytriglycol

Triethylene Glycol Ethyl Ether, Mixtures

Occidental, HE

Triethylene Glycol Butyl Ether, 143-22-6

Union Carbide, Butoxytriglycol

Triethylene Glycol Butyl Ether, Mixtures

Dow, DOWANOL TBH

Occidental, HB

Triethylene Glycol Dimethyl Ether, 112-49-2

Triethylene Glycol Hexyl Ether, Mixtures

Union Carbide, Solvent PH

SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

OXYGENATED SOLVENTS

Tetraethylene Glycol Methyl Ether, Mixtures

Union Carbide, Methoxypolyglycol

Tetraethylene Glycol Ethyl Ether, Mixtures

Union Carbide, Solvent PE

Tetraethylene Glycol Butyl Ether, Mixtures

Union Carbide, Solvent PB

Propylene Glycol Ethers

Propylene Glycol Phenyl Ether, 4169-04-4

Dow, DOWANOL PPh

Dipropylene Glycol Propyl Ether, 30025-38-8

ARCO, ARCOSOLV DPE

Dipropylene Glycol n-Propyl Ether, 29911-27-1

ARCO, ARCOSOLV DPnP

Dow, DOWANOL DPnP

Dipropylene Glycol n-Butyl Ether, 29911-28-2

ARCO, ARCOSOLV DPnB

Dow, DOWANOL DPnB

Tripropropylene Glycol Methyl Ether, 25498-49-1

ARCO, ARCOSOLV TPM

Dow, DOWANOL TPM

Tripropylene Glycol n-Butyl Ether

Dow, DOWANOL TPnB

GLYCOL ETHER-ESTERS

Ethylene Glycol Ether-Esters

Diethylene Glycol Ethyl Ether Acetate, 112-15-2

Eastman. EASTMAN DE Acetate

Diethylene Glycol Butyl Ether Acetate, 124-17-4

Eastman, EASTMAN DB Acetate

Occidental, DB Acetate

Union Carbide, Butyl CARBITOL Acetate

Propylene Glycol Ether-Esters

Dipropylene Glycol Methyl Ether Acetate, 88917-22-0

ARCO, ARCOSOLV DPMA

Dow, DOWANOL DPMA

OTHER OXYGENATES

2,2,4-Trimethyl-1,3-Pentanediol Monoisobutyrate,

25265-77-4

Eastman, TEXANOL ESTER ALCOHOL

Union Carbide, UCAR Filmer IBT

2-Ethylhexanol, 104-76-7

Alkyl Acetates

EXXATE 1000

EXXATE 1300

Glyceryl Triacetate, 102-76-1

Eastman, Triacetin

Keytones

Eastman, C-11 Ketone Mixtures, 71808-49-6

Union Carbide, Isobutyl Heptyl Ketone, 123-18-2

Union Carbide, Diisobutyl Keytone, Isomer Mixture

Methyl-2,4-Pentanediol, 107-41-5

Methyl Propanediol, 2163-42-0

ARCO, MPDiol Glycol

Propylene Carbonate, 108-32-7

ARCO, ARCONATE HP

ARCO, ARCONATE PC1000

Mixed Tridecyl Acetate Esters

Trimethyl Nonanol, 123-17-1

Diisobutyl Adipate, 141-04-8

Diisobutyl Glutarate, 71195-64-7

Diisobutyl Succinate, 925-06-4

SELECTED SOLVENTS USED IN CONSUMER AND COMMERCIAL PRODUCTS (This is <u>not</u> a list of LVP-VOC solvents)

OXYGENATED SOLVENTS

Diisobutyl Mixtures
DuPont, DBE-IB
Dimethyl Adipate, 627-93-0
Dimethyl Glutarate, 119-40-0

Dibasic Esters Mixtures
DuPont, DBE
DuPont, DBE-2
DuPont, DBE-3
DuPont, DBE-5
DuPont, DBE-6



DEFINITIONS

- "Adhesive Remover" means a product designed exclusively for the removal of adhesives, caulk and other bonding materials from either a specific substrate or a variety of substrates.
- "Aerosol Adhesive" means a pressurized spray adhesive which dispenses by means of a propellant or mechanically induced force. Aerosol Adhesive does not include pump sprays. This category does include industrial products.
- "Aerosol Cooking Spray" means any aerosol product designed either to reduce sticking on cooking and baking surfaces or to be applied on food, or both.
- "Aerosol Product" means a product packaged in a pressurized, disposable, hand-held can equipped with a valve that dispenses product ingredients by means of a propellant or mechanically induced force.
- "Agricultural Use" means the use of any pesticide or method or device for the control of pests in connection with the commercial production, storage or processing of any animal or plant crop. Agricultural use does not include the sale or use of pesticides in properly labeled packages or containers which are intended for: (A) "Home use", (B) Use in "Structural pest control", or (C) "Industrial use" or "Institutional use." For the purposes of this definition only:
 - "Home use" means use in a household or its immediate environment.
 - "Structural pest control" means a use requiring a license under Chapter 14 (commencing with Section 8500), Division 3, of the Business and Professions Code.
 - "Industrial use" means use for or in a manufacturing, mining, or chemical process or use in the operation of factories, processing plants, and similar sites.
 - "Institutional use" means use within the lines of, or on property necessary for the operation of buildings such as hospitals, schools, libraries, auditoriums, and office complexes.
- "Air Freshener" means any consumer product including, but not limited to, sprays, wicks, powders, and crystals, designed for the purpose of masking odors, or freshening, cleaning, scenting, or deodorizing the air. Air freshener includes dual purpose air freshener/disinfectant products. Air freshener does not include products that are used on the human body, or products that function primarily as cleaning products as indicated on a product label or advertisement.
- "Astringent/Toner" means any product not regulated as a drug by the United States Food and Drug Administration (FDA) which is applied to the skin for the purpose of cleaning or tightening pores. This category also includes clarifiers and substrate-impregnated products. This category does not include

DEFINITIONS

any hand, face, or body cleaner or soap product, *Personal Fragrance Product*, cold cream, lotion, or antiperspirant.

- "ASTM" means the American Society for Testing and Materials.
- "Automotive Brake Cleaner" means a cleaning product designed to remove oil, grease, brake fluid, brake pad material or dirt from motor vehicle brake mechanisms.
- "Automotive Hard Paste Wax" means an automotive wax or polish which is: (A) designed to protect and improve the appearance of automotive paint surfaces; and (B) a *solid* at room temperature; and (C) contains 0% water by formulation.
- "Automotive Instant Detailer" means a product designed for use in a pump spray that is applied to the painted surface of automobiles and wiped off prior to the product being allowed to dry.
- "Automotive Rubbing or Polishing Compound" means a product designed primarily to remove oxidation, old paint, scratches or "swirl marks", and other defects from the painted surfaces of motor vehicles without leaving a protective barrier.
- "Automotive Wax, Polish, Sealant or Glaze" means a product designed to seal out moisture, increase gloss, or otherwise enhance a motor vehicle's painted surfaces. Automotive wax, polish, sealant or glaze includes, but is not limited to, products designed for use in autobody repair shops and "drive-through" car washes, as well as products designed for the general public. Automotive wax, polish, sealant or glaze does not include automotive rubbing or polishing compounds, automotive wash and wax products, surfactant-containing car wash products, and products designed for use on unpainted surfaces such as bare metal, chrome, glass, or plastic.
- "Automotive Windshield Washer Fluid" means any liquid designed for use in a motor vehicle windshield washer fluid system either as an anti-freeze or for the purpose of cleaning, washing, or wetting the windshield(s). Automotive windshield washer fluid does not include any fluid which is placed in a new motor vehicle at the time the vehicle is manufactured.
- "Bathroom and Tile Cleaner" means a product designed to clean tile or surfaces in bathrooms. Bathroom and tile cleaner does not include products specifically designed to clean toilet bowls or toilet tanks.
- "Bug and Tar Remover" means a product designed to remove either or both of the following from painted motor vehicle surfaces without causing damage to the finish: (A) biological-type residues such as insect carcasses and tree sap and, (B) road grime, such as road tar, roadway paint markings, and asphalt.

DEFINITIONS

- "Carburetor-Choke Cleaner" means a product designed to remove dirt and other contaminants from a carburetor. Carburetor-choke cleaner does not include products designed to be introduced directly into the fuel lines or fuel storage tank prior to introduction into the carburetor.
- "Carpet and Upholstery Cleaner" means a cleaning product designed for the purpose of eliminating dirt and stains on rugs, carpeting, and the interior of motor vehicles and/or on household furniture or objects upholstered or covered with fabrics such as wool, cotton, nylon or other synthetic fabrics. Carpet and upholstery cleaner includes, but is not limited to, products that make fabric protectant claims. Carpet and upholstery cleaner does not include general purpose cleaners, vinyl or leather cleaners, spot removers, dry cleaning fluids, or products designed exclusively for use at industrial facilities engaged in furniture or carpet manufacturing.
- "Charcoal Lighter Material" means any combustible material designed to be applied on, incorporated in, added to, or used with charcoal to enhance ignition. Charcoal Lighter Material does not include any of the following: (A) electrical starters and probes, (B) metallic cylinders using paper tinder, (C) natural gas, (D) propane, and (E) fat wood.
- "Colorant" means any pigment or coloring material used in a consumer product for an aesthetic effect, or to dramatize an ingredient.
- "Commercial Product" has the same definition as institutional product.
- "Construction and Panel Adhesive" means any one-component adhesive having gap filling capabilities and which distributes stress uniformly throughout the bonded area, resulting in a reduction or elimination of mechanical fasteners.
- "Consumer Product" means a chemically formulated product used by household and institutional consumers including, but not limited to, detergents; cleaning compounds; polishes; floor finishes; cosmetics; personal care products; home, lawn, and garden products; disinfectants; sanitizers; and automotive specialty products; but do not include paint, furniture coatings, or architectural coatings.
- "Contact Adhesive" means an adhesive that: (A) is designed for application to both surfaces to be bonded together, and (B) is allowed to dry before the two surfaces are placed in contact with each other, and (C) forms an immediate bond that is impossible, or difficult, to reposition after both adhesive-coated surfaces are placed in contact with each other, and (D) does not need sustained pressure or clamping of surfaces after the adhesive-coated surfaces have been brought together using sufficient momentary pressure to establish full contact between both surfaces. Contact adhesive does not include rubber cements that are primarily intended for use on paper substrates.
- "Contract Employee" means a person hired by a company to sell that company's goods or products for an agreed upon commission or fee.

DEFINITIONS

"Custom Contract Packager" means a company that manufactures products based on the specifications of another company and places the other company's name on the product label.

"Crawling Bug Insecticide" means any insecticide product that is designed for use against ants, cockroaches, or other household crawling arthropods, including, but not limited to, mites, silverfish or spiders. Crawling bug insecticide does not include products designed to be used exclusively on humans or animals, or any "house dust mite product." For the purposes of this definition only:

"House dust mite product" means a product whose label, packaging, or accompanying literature states that the product is suitable for use against "house dust mites," but does not indicate that the product is suitable for use against ants, cockroaches, or other household crawling arthropods.

"House dust mite" means mites which feed primarily on skin cells shed in the home by humans and pets and which belong to the phylum Arthropoda, the subphylum Chelicerata, the class Arachnida, the subclass Acari, the order Astigmata, and the family Pyroglyphidae.

"Disinfectant" means any product intended to destroy or irreversibly inactivate infectious or other undesirable bacteria, pathogenic fungi, or viruses on surfaces or inanimate objects and whose label is registered under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA, 7 U.S.C. 136, et seq.). Disinfectant does not include any of the following: (A) products designed solely for use on human or animals, (B) products designed for agricultural use, (C) products designed solely for use in swimming pools, therapeutic tubs, or hot tubs, (D) products which, as indicated on the principal display panel or label, are designed primarily for use as bathroom and tile cleaners, glass cleaners, general purpose cleaners, toilet bowl cleaners, or metal polishes.

"Distributor" means any person to whom a *consumer product* is sold or supplied for the purposes of resale or distribution in commerce, except that *manufacturers*, *retailers*, and *consumers* are not *distributors*.

"Double Phase Aerosol Air Freshener" means an aerosol air freshener with the liquid contents in two or more distinct phases that requires the product container be shaken before use to mix the phases, producing an emulsion.

"Dry Cleaning Fluid" means any non-auqeous liquid product designed for use solely on fabrics which are labeled "for dry clean only," such as clothing or drapery. Dry cleaning fluid includes, but is not limited to, those products used by commercial dry cleaners and commercial business that clean fabrics such as draperies at the customer's residence or work place. Dry cleaning fluid does not include spot remover or carpet and upholstery cleaner.

DEFINITIONS

"Dual Purpose Air Freshener/Disinfectant" means an aerosol product that is represented on the product container for use as both a disinfectant and an air freshener, or is so represented on any sticker, label, packaging, or literature attached to the product container.

"Dusting Aid" means a product designed to assist in removing dust and other soils from floors and other surfaces without leaving a wax or silicone based coating. Dusting aid does not include products which consist entirely of compressed gases for use in electronic or other specialty areas.

"Electronic Cleaner" means a product designed specifically for the removal of dirt, grease or grime from electrical equipment such as electric motors, circuit boards, electricity panels, and generators.

"Employee" means a person hired by another, or by a business firm, to work for wages or salary.

"Engine Degreaser" means a cleaning product designed to remove grease, grime, oil and other contaminants from the external surfaces of engines and other mechanical parts.

"Exempt Compound" means any of the following organic compounds: carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, ammonium carbonate, and the following:

(A) methane, methylene chloride (dichloromethane), dichlorodifluoromethane (CFC-12). 1,1,1-trichloroethane (methyl chloroform), trichlorofluoromethane (CFC-11), 1,1,2-trichloro-1,2,2-trifluoroethane (CFC-113), 1,2-dichloro-1,1,2,2-tetrafluoroethane (CFC-114), chloropentafluoroethane (CFC-115), chlorodifluoromethane (HCFC-22), 1,1,1-trifluoro-2,2-dichloroethane (HCFC-123), 1,1-dichloro-1-fluoroethane (HCFC-141b), 1-chloro-1,1-difluoroethane (HCFC-142b), 2-chloro-1,1,1,2-tetrafluoroethane (HCFC-124), trifluoromethane (HFC-23), 1,1,2,2-tetrafluoroethane (HFC-134), 1,1,1,2-tetrafluoroethane (HFC-134a), pentafluoroethane (HFC-125), 1,1,1-trifluoroethane (HFC-143a), 1,1-difluoroethane (HFC-152a), volatile methyl siloxanes and the following classes of perfluorocarbons: 1. cyclic, branched, or linear, completely fluorinated alkanes;

DEFINITIONS

- 2. cyclic, branched, or linear, completely fluorinated ethers with no unsaturations;
- 3. cyclic, branched, or linear, completely fluorinated tertiary amines with no unsaturations;
- 4. and sulfur-containing perfluorocarbons with no unsaturations and with the sulfur bonds to carbon and fluorine; and
- (B) the following low-reactive organic compounds which have been exempted by the U.S. EPA:
 - 1. acetone,
 - 2. ethane,
 - 3. parachlorobenzotrifluoride (1-chloro-4-trifluoromethyl benzene), and
 - 4. perchloroethylene (tetrachloroethylene).

"Fabric Protectant" means a product designed to be applied to fabric substrates to protect the surface from soiling from dirt and other impurities or to reduce absorption of water into the fabric's fibers. Fabric protectant does not include silicone-based products whose function is to provide water repellency, or products designed for use solely on fabrics which are labeled "for dry clean only" and sold in containers of 10 fluid ounces or less.

"Flea and Tick Insecticide" means any insecticide product that is designed for use against fleas, ticks, their larvae, or their eggs. Flea and tick insecticide does not include products that are designed to be used exclusively on humans or animals and their bedding.

"Floor Polish or Wax" means a wax, polish, or any other product designed to polish, protect, or enhance floor surfaces by leaving a protective coating that is designed to be periodically replenished. Floor polish or wax does not include spray buff products, products designed solely for the purpose of cleaning floors, floor finish strippers, products designed for unfinished wood floors, and coatings subject to architectural coatings regulations.

"Floor Wax Stripper" means a product designed to remove natural or synthetic floor polishes or waxes through breakdown of the polish or wax polymers, or by dissolving or emulsifying the polish or wax. Floor Wax Stripper does not include aerosol floor wax strippers or products designed to remove floor wax solely through abrasion.

"Flying Bug Insecticide" means any insecticide product that is designed for use against flying insects or other flying arthropods, including but not limited to flies, mosquitoes, moths, or gnats. Flying bug insecticide does not include wasp and hornet insecticide, products that are designed to be used exclusively on humans or animals, or any moth-proofing product. For the purposes of this definition only, "moth-proofing product" means a product whose label, packaging, or accompanying literature indicates that the product is designed to protect fabrics from damage by moths, but does not indicate that the product is suitable for use against flying insects or other flying arthropods.

- "Fragrance" means a substance or complex mixture of aroma chemicals, natural essential oils, and other functional components with a combined vapor pressure not in excess of 2 mm of Hg at 20°C, the sole purpose of which is to impart an odor or scent, or to counteract a malodor.
- "Furniture Maintenance Product" means a wax, polish, conditioner, or any other product designed for the purpose of polishing, protecting or enhancing finished wood surfaces other than floors. Furniture maintenance product does not include dusting aids, products designed solely for the purpose of cleaning, and products designed to leave a permanent finish such as stains, sanding sealers and lacquers.
- "Gel" means a colloid in which the disperse phase has combined with the continuous phase to produce a semisolid material, such as jelly.
- "General Purpose Adhesive" means any non-aerosol adhesive designed for use on a variety of substrates. General purpose adhesive does not include (A) contact adhesives, (B) construction and panel adhesives, (C) adhesives designed exclusively for application on one specific category of substrates (i.e., substrates that are composed of similar materials, such as different types of metals, paper products, ceramics, plastics, rubbers, or vinyls), or (D) adhesives designed exclusively for use on one specific category of articles (i.e., articles that may be composed of different materials but perform a specific function, such as gaskets, automotive trim, weather-stripping, or carpets).
- "General Purpose Cleaner" means a product designed for general all-purpose cleaning, in contrast to cleaning products designed to clean specific substrates in certain situations. General purpose cleaner includes products designed for general floor cleaning, kitchen or countertop cleaning, and cleaners designed to be used on a variety of hard surfaces.
- "General Purpose Degreaser" means any product designed to remove grease, grime, oil and other oil-based contaminants from a variety of substrates. "General Purpose Degreaser" does not include engine degreaser, general purpose cleaner, metallic parts cleaner, adhesiver remover, electronic cleaner, or metal polish/cleanser.
- "Glass Cleaner" means a cleaning product designed primarily for cleaning surfaces made of glass. Glass cleaner does not include products designed solely for the purpose of cleaning optical materials used in eyeglasses, photographic equipment, scientific equipment and photocopying machines.
- "Gross Annual Receipt" means the overall total income of a company before expenses are deducted.
- "Hairspray" means a consumer product designed primarily for the purpose of dispensing droplets of a resin on and into a hair coiffure which will impart sufficient rigidity to the coiffure to establish or retain the style for a period of time.

- "Hair Mousse" means a hairstyling foam designed to facilitate styling of a coiffure and provide limited holding power.
- "Hair Shine" means any product designed for the primary purpose of creating a shine when applied to the hair. Hair Shine includes, but is not limited to, dual-use products designed primarily to impart a sheen to the hair. Hair Shine does not include hairspray, hair mousse, hair styling gel or spray gel, or products whose primary purpose is to condition or hold the hair.
- "Hair Styling Gel" means a high viscosity, often gelatinous, product that contains a resin and is designed for the application to hair to aid in styling and sculpting of the hair coiffure.
- "Household Product" means any consumer product that is primarily designed to be used inside or outside of living quarters or residences that are occupied or intended for occupation by individuals, including the immediate surroundings.
- "Independently Owned" means controlled by one self. Not dependent on another for financial support.
- "Industrial Product" means a product designed and labeled exclusively for use in manufacturing processes whereby the product is incorporated into or used exclusively in the manufacture or construction of the goods or commodities (e.g., mold release used in plastic forms).
- "Insect Repellent" means a pesticide product that is designed to be applied on human skin, hair or attire worn on humans in order to prevent contact with or repel biting insects or arthropods.
- "Insecticide Fogger" means any insecticide product designed to release all or most of its content, as a fog or mist, into indoor areas during a single application.
- "Institutional Product," or for the purposes of this survey, "commercial product," means a consumer product that is designed for use in the maintenance or operation of an establishment that: (A) manufactures, transports, or sells goods or commodities, or provides services for profit; or (B) is engaged in the nonprofit promotion of a particular public, educational, or charitable cause. Establishments include, but are not limited to, government agencies, factories, schools, hospitals, sanitariums, prisons, restaurants, hotels, stores, automobile service and parts centers, health clubs, theaters, or transportation companies. Institutional product does not include household products or products that are incorporated into or used exclusively in the manufacture or construction of the goods or commodities at the site of the establishment.
- "Label" means any written, printed, or graphic matter affixed to, applied to, attached to, blown into, formed, molded into, embossed on, or appearing upon any consumer product or consumer product package, for purposes of branding, identifying, or giving information with respect to the product or to the contents of the package.

- "Laundry Prewash" means a product that is designed for application to a fabric prior to laundering and that supplements and contributes to the effectiveness of laundry detergents and/or provides specialized performance.
- "Laundry Starch Product" means a product that is designed for application to a fabric, either during or after laundering, to impart and prolong a crisp, fresh look and may also act to help ease ironing of the fabric. Laundry starch product includes, but is not limited to, fabric finish, sizing, and starch.
- "Lawn and Garden Insecticide" means an insecticide product designed primarily to be used in household lawn and garden areas to protect plants from insects or other arthropods.
- "Liquid" means a substance or mixture of substances which is capable of a visually detectable flow as determined under ASTM D-4359-90. Liquid does not include powders or other materials that are composed entirely of solid particles.
- "Lubricant" means a product designed to reduce friction, heat, noise, or wear between moving parts, or to loosen rusted or immovable parts or mechanisms. Lubricant does not include automotive power steering fluids; products for use inside power generating motors, engines, and turbines, and their associated power-transfer gearboxes; two cycle oils or other products designed to be added to fuels; products for use on the human body or animals; or products that are (1) sold to establishments which manufacture or construct goods or commodities, and (2) labeled "not for retail sale."
- "LVP-VOC" means any compound which contains at least one carbon atom and has either of the following:
 - (A) a vapor pressure less than 0.1 mm Hg at 20°C, or
 - (B) more than 12 carbon atoms, if the vapor pressure is unknown.
- "Manufacturer" means any person who imports, manufactures, assembles, produces, packages, repackages, or relabels a consumer product.
- "Metal Polish/Cleanser" means any product designed primarily to improve the appearance of finished metal, metallic, or metallized surfaces by physical or chemical action. To "improve the appearance" means to remove or reduce stains, impurities, or oxidation from surfaces or to make surfaces smooth and shiny. Metal Polish/Cleanser includes, but is not limited to, metal polishes used on brass, silver, chrome, copper, stainless steel and other ornamental metals. Metal Polish/Cleanser does not include Automotive Wax, Polish, Sealant or Glaze, wheel cleaner, Paint Remover or Stripper, products designed and labeled exclusively for automotive and marine detailing, or products designed for use in degreasing tanks.

- "Metallic Parts Cleaner" means any organic liquid that is designed to dissolve grease, dirt and other contaminants solely from miscellaneous metallic parts. Metallic parts cleaner does not include metal polish/cleanser.
- "Multi-purpose Dry Lubricant" means any lubricant which is: (A) designed and labeled to provide lubricity by depositing a thin film of graphite, molybdenum disulfide (moly), or polytetrafluoroethylene or closely related fluoropolymer (teflon) on surfaces, and (B) designed for general purpose lubrication, or for use in a wide variety of applications.
- "Multi-purpose Lubricant" means any lubricant designed for general purpose lubrication, or for use in a wide variety of applications. Multi-purpose Lubricant does not include Multi-purpose Dry Lubricants, Penetrants, or Silicone-based Multi-purpose Lubricants.
- "Multi-purpose Solvent" means any organic liquid designed to be used for a variety of purposes, including cleaning or degreasing of a variety of substrates, or thinning, dispersing or dissolving other organic materials. Multi-purpose Solvent includes solvents used in institutional facilities, except for laboratory reagents used in analytical, educational, research, scientific or other laboratories. Multi-purpose Solvent does not include solvents used in cold cleaners, vapor degreasers, conveyorized degreasers or film cleaning machines, or solvents that are incorporated into, or used exclusively in the manufacture or construction of, the goods or commodities at the site of the establishment.
- "Nail Polish" means any clear or colored coating designed for application to the fingernails or toenails and including but not limited to, lacquers, enamels, acrylics, base coats and top coats.
- "Nail Polish Remover" means a product designed to remove *nail polish* and coatings from fingernails or toenails.
- "Non-Selective Terrestrial Herbicide" means a terrestrial herbicide product that is toxic to plants without regard to species.
- "Oven Cleaner" means any cleaning product designed to clean and to remove dried food deposits from oven walls.
- "Paint Remover or Stripper" means any product designed to strip or remove paints or other related coatings, by chemical action, from a substrate without markedly affecting the substrate. Paint Remover or Stripper does not include Multi-purpose Solvents, paint brush cleaners, products designed and labeled exclusively to remove graffiti, and hand cleaner products that claim to remove paints and other related coatings from skin.
- "Parent Company" means the company or corporation that owns and controls other companies.

DEFINITIONS

"Penetrant" means a lubricant designed and labeled primarily to loosen metal parts that have bonded together due to rusting, oxidation, or other causes. Penetrant does not include Multi-purpose Lubricants that claim to have penetrating qualities, but are not labeled primarily to loosen bonded parts.

"Personal Fragrance Product" means any product which is applied to the human body or clothing for the primary purpose of adding a scent or masking a malodor, including cologne, perfume, aftershave, and toilet water. Personal Fragrance Product does not include: (A) products exclusively for human axillae; (B) medicated products designed primarily to alleviate fungal or bacterial growth on feet or other areas of the body; (C) mouthwashes, breath fresheners and deodorizers; (D) lotions, moisturizers, powders or other skin care products used primarily to alleviate skin conditions such as dryness and irritations; (E) products designed exclusively for use on human genitalia; (F) soaps, shampoos, and products primarily used to clean the human body; and (G) fragrance products designed to be used exclusively on non-human animals.

"Pesticide" means and includes any substance or mixture of substances labeled, designed, or intended for use in preventing, destroying, repelling or mitigating any pest, or any substance or mixture of substances labeled, designed, or intended for use as a defoliant, desiccant, or plant regulator, provided that the term pesticide will not include any substance, mixture of substances, or device which the United States Environmental Protection Agency does not consider to be a pesticide.

"Principal Display Panel" means that part, or those parts of a label that are so designed as to most likely be displayed, presented, shown or examined under normal and customary conditions of display or purchase. Whenever a principal display panel appears more than once, all requirements pertaining to the principal display panel shall pertain to all such principal display panels.

"Private Label Contract Packager" means a company that manufactures products for sale under another company's name.

"Product Brand Name" means the name of the product exactly as it appears on the principal display panel of the product.

"Product Form", for the purpose of complying with Section 94513 only, means the applicable form which most accurately describes the product's dispensing form as follows:

A = Aerosol Product

S = Solid

P = Pump Spray

L = Liquid

G = Gel

O = Other

- "Propellant" means a liquefied or compressed gas that is used in whole or in part, such as a cosolvent, to expel a liquid or any other material from the same self-pressurized container or from a separate container.
- "Pump Spray" means a packaging system in which the product ingredients within the container are not under pressure and in which the product is expelled only while a pumping action is applied to a button, trigger or other actuator.
- "Responsible Party" means the company, firm or establishment which is listed on the product's *label*. If the *label* lists two companies, firms or establishments, the responsible party is the party which the product was "manufactured for" or "distributed by", as noted on the label.
- "Retailer" means any person who sells, supplies, or offers consumer products for sale directly to consumers.
- "Regional" means of some particular area in the nation (e.g., the West Coast which includes Washington, Oregon, and California).
- "Rubber and Vinyl Protectant" means any product designed to protect, preserve or renew vinyl, rubber, and plastic on vehicles, tires, luggage, furniture, and household products such as vinyl covers, clothing, and accessories. Rubber and Vinyl Protectant does not include products primarily designed to clean the wheel rim, such as aluminum or magnesium wheel cleaners, and tire cleaners that do not leave an appearance-enhancing or protective substance on the tire.
- "Rubbing Alcohol" means any product containing isopropyl alcohol (also called isopropanol) or denatured ethanol and labeled for topical use, usually to decrease germs in minor cuts and scrapes, to relieve minor muscle aches, as a rubefacient, and for massage.
- "Shaving Cream" means an aerosol product which dispenses a foam lather intended to be used with a blade or cartridge razor, or other wet-shaving system, in the removal of facial or other bodily hair.
- "Silicone-based Multi-purpose Lubricant" means any lubricant which is: (A) designed and labeled to provide lubricity primarily through the use of silicone compounds including, but not limited to, polydimethylsiloxane, and (B) designed and labeled for general purpose lubrication, or for use in a wide variety of applications. Silicone-based Multi-purpose Lubricant does not include products designed and labeled exclusively to release manufactured products from molds.
- "Single Phase Aerosol Air Freshener" means an aerosol air freshener with the liquid contents in a single homogeneous phase and which does not require that the product container be shaken before use.

- "Solid" means a substance or mixture of substances which, either whole or subdivided (such as the particles comprising a powder), is not capable of visually detectable flow as determined under *ASTM* D-4359-90.
- "Solvent Parts Cleaner" means any organic liquid that is designed to dissolve grease, dirt and other contaminants solely from miscellaneous metallic parts. Solvent parts cleaner does not include metal polish/cleanser.
- "Spot Remover" means any product designed to clean localized areas, or remove localized spots or stains on cloth or fabric such as drapes, carpets, upholstery, and clothing, that does not require subsequent laundering to achieve stain removal. Spot remover does not include dry cleaning fluid, laundry prewash, carpet and upholstery cleaner, or multi-purpose solvent.
- "Spray Buff Product" means a product designed to restore a worn floor finish in conjunction with a floor buffing machine and special pad.
- "Undercoating" means any *aerosol product* designed to impart a protective, non-paint layer to the undercarriage, trunk interior, and/or firewall of motor vehicles to prevent the formation of rust or to deaden sound. *Undercoating* includes, but is not limited to, rubberized, mastic, or asphaltic products.
- "Underarm Antiperspirant" means any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the *manufacturer* to be used to reduce perspiration in the human axilla by at least 20 percent in at least 50 percent of a target population.
- "Underarm Deodorant" means any product including, but not limited to, aerosols, roll-ons, sticks, pumps, pads, creams, and squeeze-bottles, that is intended by the manufacturer to minimize odor in the human axilla by retarding the growth of bacteria which cause the decomposition of perspiration.
- "Volatile Methyl Siloxane" means cyclic, branched, or linear completely methylated siloxanes.
- "Volatile Organic Compound (VOC)" means any compound containing at least one atom of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, and excluding any exempt compound.
- "Wasp and Hornet Insecticide" means any insecticide product that is designed for use against wasps, hornets, yellow jackets or bees by allowing the user to spray from a distance a directed stream or burst at the intended insects, or their hiding place.
- "Wood Floor Wax" means wax-based products for use solely on wood floors.

UNITED STATES RESIDENT POPULATION IN THE THOUSANDS, JULY 1, 1996

United States Total = 265,284

State	Thousands	State	Thousands
Alabama	4,273	Montana	879
Alaska	607	Nebraska	1,652
Arizona	4,428	Nevada	1,603
Arkansas	2,510	New Hampshire	1,162
California	31,878	New Jersey	7,988
Colorado	3,823	New Mexico	1,714
Connecticut	3,274	New York	18,185
Delaware	725	North Carolina	7,323
District of Columbia	543	North Dakota	644
Florida	14,400	Ohio	11,173
Georgia	7,353	Oklahoma	3,301
Hawaii	1,184	Oregon	3,204
Idaho	1,189	Pennsylvania	12,056
Illinois	11,847	Rhode Island	990
Indiana	5,841	South Carolina	3,699
Iowa	2,852	South Dakota	733
Kansas	2,572	Tennessee	5,320
Kentucky	3,884	Texas	19,125
Louisiana	4,351	Utah	2,001
Maine	1,243	Vermont	589
Maryland	5,072	Virginia	6,675
Massachusetts	6,092	Washington	5,533
Michigan	9,594	West Virginia	1,826
Minnesota	4,658	Wisconsin	5,160
Mississippi	2,716	Wyoming	481
Missouri	5,359		

Source: United States Department of Commerce. Bureau of Census.

Title 17, California Code of Regulations Subchapter 4. Disclosure of Public Records

Article 1. General

§91000. Scope and Purpose.

This subchapter shall apply to all requests to the state board under the California Public Records Act (Government Code Sections 6250 et seq.) for the disclosure of public records or for maintaining the confidentiality of data received by the state board. Written guidelines shall govern the internal review of such requests.

NOTE: Authority cited: Sections 39600 and 39601(a), Health and Safety Code. Reference: California Public Records Act, Chapter 3.5 (commencing with Section 6250), Division 7, Government Code.

HISTORY

- 1. New Subchapter 4 (Sections 91000 through 91022, not consecutive) filed 1-26-73; effective thirtieth day thereafter (Register 73, No. 4).
- 2. Amendment filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 3. Amendment of NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 4. Repealer and new section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§91001. Disclosure Policy.

It is the policy of the state board that all records not exempted from disclosure by state law shall be open for public inspection with the least possible delay and expense to the requesting party.

NOTE: Authority cited: Sections 39600 and 39601(a), Health and Safety Code. Reference: Section 6253, Government Code; Black Panther Party v. Kehoe (1974) 42 Cal.App.3d 645.

HISTORY

- 1. Amendment filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 3. Repealer and new section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

Article 2. Board's Requests for Information

§91010. Request Procedure.

The state board shall give notice to any person from whom it requests information that the information provided may be released (1) to the public upon request, except trade secrets which are not emission data or other information which is exempt from disclosure or the disclosure of which is prohibited by law, and (2) to the federal Environmental Protection Agency, which protects trade secrets as provided in Section 114(c) of the Clean Air Act and amendments thereto (42 USC 7401 et seq.) and in federal regulations.

NOTE: Authority cited: Sections 39600, 39601 and 39602, Health and Safety Code. Reference: Sections 39701, 41510, 41511, 41512 and 42705, Health and Safety Code; and Section 6253, Government Code.

HISTORY

- 1. Amendment of subsections (a) and (b) filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 2. Amendment of subsection (a), (b) and (c), and new NOTE, filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 3. Amendment filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).
- 4. Editorial correction filed 5-7-84; effective thirtieth day thereafter (Register 84, No. 19).

§91011. Submissions of Confidential Data.

Any person submitting to the state board any records containing data claimed to be "trade secret" or otherwise exempt from disclosure under Government Code Section 6254 or 6254.7 or under other applicable provisions of law shall, at the time of submission, identify in writing the portions of the records containing such data as "confidential" and shall provide the name, address and telephone number of the individual to be contacted if the state board receives a request for disclosure of or seeks to disclose the data claimed to be confidential. Emission data shall not be identified as confidential. The state board shall not disclose data identified as confidential, except in accordance with the requirements of this subchapter or Section 39660(e) of the Health and Safety Code.

NOTE: Authority cited: Sections 39600 and 39601, Heath and Safety Code. Reference: Sections 39660, 39701, 41500, 41511, 41512 and 42705, Health and Safety Code; Sections 6253, 6254 and 6254.7, Government Code; *Natural Resources Defense Council v. EPA*, 489 F.2d 390 (5th Cir. 1974) (6 ERC 1248); *Northern California Police Practices Project v. Craig* (1979) 90 Cal.App.3d 116; *Uribe v. Howie* (1971) 19 Cal.App.3d 194.

HISTORY

- 1. New section filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41). For history of former section, see Register 73, No. 39.
- 2. Amendment filed 7-10-84; effective thirtieth day thereafter (Register 84, No. 28).

Article 3. Inspection of Public Records

§91020. Disclosure Policy.

HISTORY

1. Repealer filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§91021. Disclosure Procedure.

NOTE: Authority cited: Section 39601, Health and Safety Code. Reference: Sections 6253-6257, Government Code.

HISTORY

- 1. Amendment of subsections (c) and (d)(3) filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 3. Repealer filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).

§91022. Disclosure of Confidential Data.

- (a) This section shall apply to all data in the custody of the state board
- (1) designated "trade secret" prior to the adoption of this subchapter,
- (2) considered by the state board or identified by the person who submitted the data as confidential pursuant to this subchapter, or
- (3) received from a federal, state or local agency, including an air pollution control district, with a confidential designation, subject to the following exceptions:
- (A) Except for the time limits specifically provided in subsection (b), only subsections (c) and (d) of this section shall apply to information submitted pursuant to Health and Safety Code Section 39660(e).
- (B) Appropriate portions of an application for approval, accreditation, or certification of a motor vehicle emission control device or system shall be kept confidential until such time as the approval, accreditation, or certification is granted, at which time the application (except for trade secret data) shall become a public record, except that estimates of sales volume of new model vehicles contained in an application shall be kept confidential for the model year, and then shall become public records. If an application is denied, it shall continue to be confidential but shall be subject to the provisions of this section.
- (C) If disclosure of data obtained after August 9, 1984 from a state or local agency subject to the provisions of the Public Records Act is sought, the state board shall request that the agency which provided the data determine whether it is confidential. The state board shall request that it be notified of the agency's determination within ten days. The state board shall not release the data if the agency determines that it is confidential and so notifies the state board; provided, however, that the data may be released with the consent of the person who submitted it to the agency from which it was obtained by the state board.
- (b) Upon receipt of a request from a member of the public that the state board disclose data claimed to be confidential or if the state board itself seeks to disclose such data, the state board shall inform the individual designated pursuant to Section 91011 by telephone and by mail that disclosure of the data is sought. The person claiming confidentiality shall file with the state board documentation in support of the claim of confidentiality. The documentation must be received within five (5) days from the date of the telephone contact or of receipt of the mailed notice, whichever first occurs. In the case of information submitted pursuant to Health and Safety Code Section 39660(e), the documentation must be received within 30 days of the date notice was mailed pursuant to that section. The deadlines for filing the documentation may be extended by the state board upon a showing of good cause made within the deadline specified for receipt of the documentation.
- (c) The documentation submitted in support of the claim of confidentiality shall include the following information:
 - (1) the statutory provision(s) under which the claim of confidentiality is asserted;
 - (2) a specific description of the data claimed to be entitled to confidential treatment;
 - (3) the period of time for which confidential treatment is requested;
- (4) the extent to which the data has been disclosed to others and whether its confidentiality has been maintained or its release restricted;
- (5) confidentiality determinations, if any, made by other public agencies as to all or part of the data and a copy of any such determinations, if available; and
- (6) whether it is asserted that the data is used to fabricate, produce, or compound an article of trade or to provide a service and that the disclosure of the data would result in harmful effects on the person's competitive position, and, if so, the nature and extent of such anticipated harmful effects.
- (d) Documentation, as specified in subsection (c), in support of a claim of confidentiality may be submitted to the state board prior to the time disclosure is sought.
- (e) The state board shall, within ten (10) days of the date it sought to disclose the data or received the request for disclosure, or within 20 days of that date if the state board determines that there are unusual circumstances as defined in Government Code Section 6256.1, review the request, if any, and supporting documentation, if received within the time limits specified in subsection (b) above, including any extension granted, and determine whether the data is entitled to confidential treatment pursuant to Government Code Section 6254, 6255 or 6254.7 or other applicable provisions of law and shall either:
 - (1) decline to disclose the data and, if a request was received, provide to the person making the request

and to the person claiming the data is confidential a justification for the determination pursuant to Government Code Section 6255; or

- (2) provide written notice to the person claiming the data is confidential and, if a request was received, to the person requesting the data that it has determined that the data is subject to disclosure, that it proposes to disclose the data, and that the data shall be released 21 days after receipt of the notice by the person claiming confidentiality, unless the state board is restrained from so doing by a court of competent jurisdiction. The state board shall release the data in accordance with the terms of the notice unless so restrained.
- (f) Should judicial review be sought of a determination issued in accordance with subsection (e), either the person requesting data or the person claiming confidentiality, as appropriate, may be made a party to the litigation to justify the determination.

NOTE: Authority cited: Section 39601, Health and Safety Code. Reference: Sections 6253, 6254, 6254.7, 6255, 6256, 6256.1, 6258 and 6259, Government Code.

HISTORY

- 1. Amendment of subsections (a) and (b) filed 9-28-73; effective thirtieth day thereafter (Register 73, No. 39).
- 2. Amendment and new NOTE filed 3-18-77; effective thirtieth day thereafter (Register 77, No. 12).
- 3. Amendment filed 10-5-82; effective thirtieth day thereafter (Register 82, No. 41).
- 4. Editorial correction of subsection (a) filed 5-7-84; effective thirtieth day thereafter (Register 84, No. 19).
- 5. Amendment filed 7-10-84; effective thirtieth day thereafter (Register 84, No. 28).

